

Oneida Tribal Judicial System

Onayote ʔ aka Tsiʔ Shakotiyaʔ Tolé hte

Laura M. Chrisjohn,
Petitioner,

v.

Case No. 14-TC-188

Oneida HRD-Benefits, and
Broadspire-A Crawford Company
Respondents

DECISION

This case has come before the Oneida Tribal Judicial System, Trial Court. Judicial Officers; Mary Adams, Chris Cornelius, and Jean M. Webster, presiding.

Background

On October 01, 2014, Petitioner, Laura M. Christjohn, filed her complaint requesting her medical bills paid and other related expenses from date of her alleged injury and forward.

Analysis

On October 28, 2014 a Pre-hearing was held. Petitioner and Respondents appeared. The following is a list of events that occurred during the case:

- 1-15-14 Date of initial injury.
- 8-8-14 Bellin Health – Work Status Report, diagnosis – not work related, right shoulder pain.
- 8-8-14 Bellin Health – signed by Dr. Ringwelski indicating Petitioner's claim is not a work related injury. His decision was based on the MRI done on 8-4-14.

- 9-8-14 Broadspire memo, denying Petitioner's claim for further benefits, based on the 8-8-14 medical note from Dr. Ringwelski stating that Petitioner's symptom do not appear to be work related.
- 9-17-14 Certificate for Return to School or Work from Dr. Sumnicht, states Petitioner is given the right to return to work, and list his opinion that the injury to Petitioner's right arm is work related.
- 10-1-14 Petitioner files her claim against Respondents.
- 10-28-14 Pre-trial hearing is held and a Scheduling Order is issued.

On December 16, 2014 a trial was held. Petitioner did not appear. Respondents, Betty Jaffer appeared in behalf of Broadspire and Christina Blue Bird appeared in behalf of HRD. Respondents motioned to dismiss in accordance to Rule 16 (c), due to Petitioner's failure to appear, plead, or prosecute said claim.

The Court grants Respondents Motion to Dismiss in accordance to Rule 16(C), Petitioner failure to appear, plead, or prosecute said claim, may be granted by the Trial Court.

Decision

The Court grants Respondents Motion to Dismiss in accordance to Rule 16(C). Judgment in favor of Respondents.